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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

John Chester MALINOWSKI et al.

Serial No.: 10/065,843

Group Art Unit: 2823

Filed: November 25, 2002

Examiner: Julio J. Maldonado

For: NITRIDE ETCHSTOP FILM TO PROTECT METAL-INSULATOR-METAL  
CAPACITOR DIELECTRIC FROM DEGRADATION AND METHOD OF  
MAKING SAME

Honorable Commissioner of Patents  
Alexandria, VA 22313-1450

**AMENDMENT UNDER 37 C.F.R. §1.111**

Sir:

In response to the Office Action dated **January 30, 2004**, please amend the above-identified application as follows:

Claims 9-15 and 21-23 are pending in the application. This Amendment currently amends claims 9-12, and 15. Claims 1-8 and 16-20 are canceled without prejudice or disclaimer. New claims 21-23 are added. Claims 9 and 23 are independent.